March 8, 2022

The Honorable Joseph R. Biden Jr.
The White House
1600 Pennsylvania Avenue
Washington, DC  20500

Dear President Biden:

We write to express our strong opposition to your administration’s efforts to encourage and require project labor agreements (PLAs) on federal and federally assisted construction contracts funded by taxpayers. Executive Order 14063, which requires PLAs on federal construction contracts exceeding $35 million, will undermine taxpayer investment in public works projects financed by the American Rescue Plan Act, the Infrastructure Investments and Jobs Act, and other recent infrastructure legislation passed by Congress. None of these laws included language requiring or encouraging the use of PLAs.

Currently, 87.4% of the U.S. construction workforce does not belong to a union. Mandating PLAs will prevent qualified contractors from fairly competing for contracts on taxpayer-funded projects. These mandates will also deny critical construction jobs to local workers and small businesses. The Fair and Open Competition Act (FOCA, H.R. 1284) would guarantee the best value for hardworking taxpayers through a fair and open bidding process for federal construction projects. Notably, FOCA prevents federal mandates for PLAs, but also ensures federal agencies can still award contracts to businesses that voluntarily enter into a PLA.

Twenty-four states have enacted similar measures that ensure accountability, oversight, and a fact-based decision-making process. These laws lead to better investment in local infrastructure and the creation of more construction industry jobs—a vital part of economic recovery. These state laws curb waste and favoritism in the procurement of construction projects and ensure responsible management of taxpayer dollars. Further, they allow markets to determine the appropriateness of a PLA, not the federal government.

Your administration should be designing policies that support job growth for all qualified contractors, not attaching strings to infrastructure funding that create discriminatory barriers to recovery. For the sake of small businesses, workers, and taxpayers, we request that you immediately withdraw this harmful guidance. We appreciate your thoughtful consideration of our request to protect all American workers.

Sincerely,

Ted Budd
Member of Congress

James Comer
Member of Congress

Patrick McHenry
Member of Congress
Darrell Issa  
Member of Congress

Mariannette Miller-Meeks, M.D.  
Member of Congress

Dusty Johnson  
Member of Congress

Neal P. Dunn, M.D.  
Member of Congress

Young Kim  
Member of Congress

Jake Ellzey  
Member of Congress

Bob Good  
Member of Congress

Blaine Luetkemeyer  
Member of Congress

Gregory F. Murphy, M.D.  
Member of Congress

Glenn Grothman  
Member of Congress

W. Gregory Steube  
Member of Congress

Jeff Duncan  
Member of Congress

Jerry L. Carl  
Member of Congress

Debbie Lesko  
Member of Congress

Julia Letlow  
Member of Congress

Louie Gohmert  
Member of Congress

Mary E. Miller  
Member of Congress

Alex X. Mooney  
Member of Congress
John R. Carter  
Member of Congress

French Hill  
Member of Congress

Eric A. “Rick” Crawford  
Member of Congress

Ronny L. Jackson  
Member of Congress

Robert J. Wittman  
Member of Congress

Ralph Norman  
Member of Congress

Randy K. Weber  
Member of Congress

Steve Womack  
Member of Congress

Fred Keller  
Member of Congress

Andy Harris, M.D.  
Member of Congress

Doug Lamborn  
Member of Congress

Jake LaTurner  
Member of Congress

Lloyd Smucker  
Member of Congress

Tim Burchett  
Member of Congress

Tracey Mann  
Member of Congress

Rodger Williams  
Member of Congress

Tom McClintock  
Member of Congress

Burgess Owens  
Member of Congress
Rick W. Allen
Member of Congress

Tim Walberg
Member of Congress